

1 **BUCHALTER**

2 A Professional Corporation

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9 Attorneys for Plaintiff

10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**
12 **WESTERN DIVISION**

13 MADALUXE GROUP, LLC,

14 Plaintiff,

15 vs.

16 DAHLEN KOK HAN WEE,

17 Defendant.

Case No. 8:22-cv-1926

Judge:

**COMPLAINT FOR DECLARATORY
JUDGMENT**

DEMAND FOR JURY TRIAL

1 Plaintiff MADALUXE GROUP, LLC (“Plaintiff” or “Madaluxe”), by and
2 through its attorneys, brings this action and alleges against Defendant DAHLEN
3 KOK HAN WEE (“Defendant” or “Wee”), as follows:

4 **NATURE OF THE ACTION**

5 1. This is an action for a declaratory judgment relating to claims of copyright
6 infringement and breach of contract made by Defendant.

7 **JURISDICTION AND VENUE**

8 2. This action arises under the Federal Declaratory Judgment Act, 28
9 U.S.C. § 2201 *et seq.*, and under the copyright laws of the United States, Title 17 of
10 the United States Code.

11 3. This Court has subject matter jurisdiction over the claims alleged in
12 this action pursuant to 28 U.S.C. §§ 1331 and 1332 *seq.*, and under the Federal
13 Declaratory Judgment Act, 28 U.S.C. §§ 2201 and 2202.

14 4. Defendant is subject to personal jurisdiction in this Court at least
15 because she engaged in actions in this District that form the basis of Plaintiff’s
16 claims against Defendant and that have created a real, live, immediate and
17 justiciable case or controversy between Plaintiff and Defendant.

18 5. Venue is proper in this district pursuant to 28 U.S.C. § 1391 because
19 this is the judicial district in which a substantial part of the events giving rise to the
20 claim alleged in this Complaint occurred.

21 6. For these reasons and the reasons set forth below, a justiciable
22 controversy exists between the parties which is of sufficient immediacy and reality
23 to warrant declaratory relief.

24 **THE PARTIES**

25 7. Plaintiff is a California limited liability company with a principal place
26 of business located Seal Beach, California.

1 once I start the process, this time my lawyer will want to see it to the end, which is
2 in federal court...”

3 **COUNT I**

4 **Declaratory Judgment of No Copyright Infringement**

5 15. Plaintiff repeats and incorporates by reference the above allegations set
6 forth above, as though fully set forth herein.

7 16. Defendant has alleged in correspondence and otherwise that Plaintiff
8 infringed upon her copyrights.

9 17. The subject photographs taken by or on behalf of Plaintiff do not
10 infringe upon the copyrights, if any, of Defendant.

11 18. An actual and justiciable controversy has arisen and now exists
12 between Plaintiff and Defendant concerning whether the subject works created by,
13 or on behalf of, Plaintiff, infringe upon Defendant’s alleged copyrights.

14 19. In light of the facts alleged herein and Defendant’s allegations of
15 infringement, together with Defendant’s statements, the dispute between Plaintiff
16 and Defendant is definite, immediate and substantial.

17 20. By this Complaint, Plaintiff seeks a declaratory judgment that it has
18 not infringed upon the alleged copyrights of Defendant.

19 21. Plaintiff is entitled to a declaratory judgment of its rights in order to
20 resolve the dispute existing between the parties and afford relief from the
21 uncertainty and harm created by Defendant’s past and future allegations.

22
23 **COUNT II**

24 **Request for Declaratory Judgment of No Breach of Contract**

25 22. Madaluxe incorporates and realleges each allegation contained in prior
26 paragraphs of this Complaint, as though fully set forth herein.

1 4. Award Plaintiff such other relief as the Court may deem proper.

2 DATED: October 20, 2022

BUCHALTER

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4
5 By: /s/ Willmore F. Holbrow, III

6 WILLMORE F. HOLBROW III

7 Attorneys for Plaintiff

8 MADALUXE GROUP LLC.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury of all claims triable by jury.

DATED: October 20, 2022

BUCHALTER

A Professional Corporation

By: /s/ Willmore F. Holbrow, III

WILLMORE F. HOLBROW III

Attorneys for Plaintiff

MADALUXE GROUP LLC.